Applicant: Stephan Schinzel-Kolb et al. Attorney's Docket No.: 12406-0214US1 / P2004,0093

US N

Serial No.: 10/587,271 Filed: May 7, 2007

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priority document required under MPEP § 1893.03(c) has been received by the Office and is available to the Examiner. If this is not the case, Applicants respectfully request that the Examiner provide such notification, at which time Applicants will be pleased to submit another certified copy for the Examiner's consideration.

Applicants have enclosed with this reply a certified translation of German Patent Application No. 10 2004 004 777.4, in accordance with 35 U.S.C. § 365. Based on this translation, it is Applicants' belief that the subject matter of each of the pending claims in the present application is fully supported by the disclosure of the above priority document. Thus, Applicants believe that each of the pending claims is entitled to a priority date under 35 U.S.C. § 365 of January 30, 2004.

Thomas was filed on September 23, 2004, *after* the earliest priority date of the pending claims. Accordingly, Applicants believe that Thomas is not a proper basis for rejection of the claims under 35 U.S.C. §§ 102 and/or 103, and respectfully request reconsideration and withdrawal of the rejections of claims 1-9.

In view of the foregoing, Applicants ask that the application be allowed.

Fees for the Petition for Extension of Time are being paid concurrently on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account 06-1050, referencing 12406-0214US1.

Respectfully submitted,

Date: 8/27/2008 /Marc M. Wefers Reg. No. 56,842/

Marc M. Wefers Reg. No. 56,842

Fish & Richardson P.C. 225 Franklin Street Boston, MA 02110

Telephone: (617) 542-5070 Facsimile: (877) 769-7945

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